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UNCLAS OTTAWA 002082

SIPDIS

STATE FOR WHA/CAN, INL

WHITE HOUSE FOR HOMELAND SECURITY COUNCIL

DHS OFFICE OF INTERNATIONAL AFFAIRS (Marmaud)

CUSTOMS AND BORDER PROTECTION (Bonner)

SENSITIVE

E.O. 12958: N/A

TAGS: [ETRD](#) [ELTN](#) [ASEC](#) [PBTS](#) [CA](#)

SUBJECT: Possible shift in GoC position on Canadian Border Patrol

Ref Ottawa 1780; Ottawa 940

SENSITIVE BUT UNCLASSIFIED--PLEASE PROTECT ACCORDINGLY.

1. (U) Summary: According to reports from the Customs Officers' union, CEUDA, the Minister of Public Safety and Emergency Preparedness Anne McLellan and her senior staff are warming to the idea of enhancing Customs Officers' law enforcement role and presence at and between ports of entry. If accurate this could portend a sea change in government attitudes toward law enforcement. End summary.

2. (SBU) In late June Minister McLellan met for 45 minutes with CEUDA President Ron Moran to discuss the Customs Officers' union's concerns with border security. According to the CEUDA version of events, the Minister appears receptive to investigating, in an objective, fact-based manner, whether customs officers at ports of entry should be armed, and whether Canadian Border Services Agency (CBSA) should create a Border Patrol. Also, in her public pronouncements she agreed to stop referencing a document prepared by CBSA Brass which purports to show there is no need for Customs officers to be equipped with sidearms; CEUDA claims that that document is flawed and biased, and apparently the Minister has accepted the CEUDA argument.

3. (SBU) Following the meeting with the Minister, CEUDA's Moran also spent 90 minutes discussing this issue with David Thelen, McLellan's Special Advisor. According to CEUDA, Thelen said that the government is willing to go in the same direction as CEUDA, but the government has to go more slowly than CEUDA would like (my CEUDA interlocutor did not elaborate on the reason why GoC feels it must go slowly).

4. (SBU) Whether CEUDA's perceptions are well-grounded is the key question. It is true that over the past few years the GoC has provided expanded Peace Officer powers to Customs staff, and made pepper spray, nightsticks and body armor available - it is not inconceivable therefore that CBSA Officers may be in line for more authority and more law enforcement tools, including side-arms. The receptivity to examining this issue appears to be a significant change from the Minister's long-standing position that there is no evidence for any need to change the status quo.

5. (SBU) On the other hand Emboff discussed this issue with Sara Wiebe the Assistant to the Prime Minister's National Security Advisor who categorically denied that Customs Officers will gain an enhanced law enforcement role along the border; instead Emboff was told that RCMP will retain the role of enforcing the law between ports of entry and that if an enhanced presence is required it will be achieved through increasing resources for RCMP rather than creating new organizations. She concluded by stating that Customs Officers will not be getting side-arms.

6. (U) Minister McLellan is supposed to appear before the Senate Committee on National Security and Defence on July 13 to answer questions on Bill C-26, the bill that formally creates the CBSA. We understand that the Senators will be pressing her on the firearms and border patrol issue - her response will be illuminating. Emboff intends also to meet with CEUDA President Moran the next day to obtain the CEUDA perspective of that Committee hearing.

7. (SBU) Comment: Should the GoC decide that issuing side-arms is a serious issue for consideration it will signal a sea change in political attitudes toward law enforcement in Canada and could provide beneficial consequences for cross-border law enforcement cooperation, possibly by helping us address the thorny carriage of arms and hot pursuit issues. End comment.

8. (U) With respect to obtaining an objective assessment of the need to equip Customs officers with side-arms, CEUDA expects in the next few weeks to decide whether or not to hire the NorthGate Group, a consulting firm based in Ottawa that specializes in security issues. CEUDA expects that NorthGate, should they be hired, will want to speak with US state and federal law enforcement agents along the northern border to gauge their attitudes toward the security

situation along the border and the necessity of firearms.  
We have suggested that NorthGate discuss this subject with  
Embassy DHS Attach.  
Wilkins